UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,879	07/03/2001	Michael Antonin Sebesta	ROC920000308US1	2204

			EXAMINER
28722	7590	09/08/2004	BURGE, LONDRA C

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/898,879	SEBESTA, MICHAEL ANTONIN
	Examiner	Art Unit
	Londra C Burge	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 July 2001</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1,12 and 19</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
            application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>1/11/2002</u>.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date._____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to: Original application filed 7/3/2001 and IDS filed 1/11/2002.

2.   Claims 1-25 are pending. Claims 1, 12 and 19 are independent claims.

Claim Rejections - 35 USC § 103

3.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-3, 10-14, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mora et al. (herein after Mora) U.S. Patent No. 6,161,113 filed 1/20/1998 in view of Saito et al. (herein after Saito) U.S. Patent No. 6,599,324 B2 filed 3/11/1998.**

In regard to independent claim 1, Mora discloses *adding a summary information field to each document within said hierarchical divided document that comprises relevant summary information* (Mora Col 11 Lines 21-30 and Cols 25-58 i.e. all show descriptions or summaries and Fig 3 shows a hierarchical structure of the document); *and responsive to a ... operation of one of said each document, dynamically updating summary information within a summary information field of a higher level document, wherein said summary information includes information from said ... document* (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

Mora does not specifically disclose of *a saving operation and saved document.* However Saito mentions saving a structured document (Saito Col 12 Lines 44-49). It would have been

obvious to one of ordinary skill in the art at the time of the invention to apply Saito to Mora, providing Mora the benefit of saving a document so the user can access the document for future use.

In regard to dependent claim 2, Mora discloses *further comprising determining whether said saved document has updated a value within its summary information field prior to completing said dynamically updating step.* (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20 and Col20 Lines 33-67).

Mora does not specifically disclose of *a saving operation and saved document.* However Saito mentions saving a structured document (Saito Col 12 Lines 44-49). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Saito to Mora, providing Mora the benefit of saving a document so the user can access the document for future use.

In regard to dependent claim 3, Mora discloses *monitoring which documents among all opened documents within said hierarchically divided document structure contains said summary information field* (Mora Col 11 Lines 21-30 and Cols 25-58 i.e. all show descriptions or summaries and Fig 3 shows a hierarchical structure of the document); *and restricting said determining process to only those documents that contain a summary information field.* (Mora Col 9 Lines 9-17 and Cols 25-58)

In regard to dependent claim 10, Mora discloses *querying at least one lower level document* (Mora Figs 3-8 shows a hierarchical structure of the document with options of choosing projects at a lower level); *and calculating an updated summary information value at*

said higher level document. (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

In regard to dependent claim 11, Mora discloses *transmitting a changed summary information value to a higher level document; and calculating an updated summary information value at said higher level document.* (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

In regard to independent claims 12 and 19, claims 12 and 19 in addition to the following reflect similar subject matter claimed in claim 1 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 13 and 20, claims 13 and 20 in addition to the following reflect similar subject matter claimed in claim 2 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 14 and 21, claims 14 and 21 in addition to the following reflect similar subject matter claimed in claim 3 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

5.   **Claims 4-9, 15-18, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mora et al. in view of Saito et al. as applied to claims 1 and 12, and in further view of Swaminathan et al. (herein after Swaminathan) U.S. Patent No. 6,721,726 B1 filed 3/8/2000.**

In regard to dependent claim 4, Mora mentions *documents are to be completed my users and determining the document to be completed* (Mora Col 29 Lines 1-25)

Mora does not specifically *disclose dynamically calculating a percentage complete of said project utilizing said point total and said completed point total.* However, Swaminathan shows a document in hierarchical format and percentages (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claim 5, Mora does not specifically mention *further comprising dynamically outputting said percentage complete.* However, Swaminathan shows a document with the percentage calculated (Swaminathan Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claim 6, Mora does not specifically mention *wherein said project is subdivided into subproject levels having associated tasks and said dynamically calculating step includes calculating said percentage complete at each of said subproject levels.* However, Swaminathan shows a document in hierarchical format with subprojects and percentages (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claim 7, Mora shows *wherein said project and said subprojects are represented by project documents linked via a computer application* (Mora Col 11 Lines 21-30 and Cols 25-58 i.e. all show descriptions or summaries and Fig 3 shows a hierarchical structure of the document and Mora Col 5 Lines 61-62 and Col 59 Lines 21-24).

Mora does not specifically mention, *wherein said outputting step includes outputting said completed percentage in a ... display of said project.* However, Swaminathan shows a document in hierarchical format with subprojects and percentages (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claim 8, Mora discloses *wherein said computer application is a Lotus Notes Project Tracking application and said calculating step includes programming a LotusScript Agent* (Mora Col 3 Lines 2-13 and Lines 30-51) *to update a point total in each document within a document hierarchy of said project and subprojects* (Mora Fig 3 shows a hierarchical structure of the document)

Mora does not specifically mention *reflecting said percentage complete.* However, Swaminathan shows a document in hierarchical format with subprojects and percentages (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claim 9, Mora does not specifically mention *wherein said determining step includes prompting a user of said task document for an input of said completed point total.* However, Swaminathan shows a document in hierarchical format with subprojects and percentage totals (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit of calculating a percentage of the project that is complete so each user of the project will have an ideal when the project will be finished.

In regard to dependent claims 15 and 22, claims 15 and 22 in addition to the following reflect similar subject matter claimed in claim 4 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 16 and 23, claims 16 and 23 in addition to the following reflect similar subject matter claimed in claim 5 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claim 17, Mora does not specifically mention *wherein said computer application is a Lotus Notes Project Tracking application and said calculating step includes updating a point total in each document within a document hierarchy of said project and subprojects to ... utilizing a LotusScript Agent.* (Mora Col 3 Lines 2-13 and Lines 30-51) (Mora Fig 3 shows a hierarchical structure of the document)

Mora does not specifically mention *reflect said percentage complete.* However, Swaminathan shows a document in hierarchical format with subprojects and percentages (Swaminathan Figures 7-11 and Figure 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Swaminathan to Mora, providing Mora the benefit

of calculating a percentage of the project that is complete so each user of the project will have an

ideal when the project will be finished.

In regard to dependent claims 18 and 25, claims 18 and 25 in addition to the following

reflect similar subject matter claimed in claim 9 and are rejected along the same rationale. (Mora

Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claim 24, claim 24 reflects similar subject matter claimed in

claim 17 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines

21-24)

Conclusion

6.   **The prior art made of record and not relied upon is considered pertinent to**

applicant's disclosure.

Hogan et al.   U.S. Patent No. 5,778,368   issued   7/7/1998

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Londra C Burge whose telephone number is (571) 272-4122.

The examiner can normally be reached on 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:
     (703) 746-7239 (for formal communications intended for entry)

Or:

     (703) 746-7240 (for informal or draft communications, please label
     "PROPOSED" or "DRAFT")

Or:

     (703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, Fourth Floor (Receptionist).

Londra C Burge
8/31/04

STEPHEN S. HONG
PRIMARY EXAMINER